

## § 1422.22

### § 1422.22 Inconclusive elections.

(a) An inconclusive election is one in which none of the choices on the ballot is declared the winner. If there are no challenged ballots that would affect the results of the election, the Regional Director may declare the election a nullity and may order another election providing for a selection from among the choices afforded in the previous ballot.

(b) Only one further election pursuant to this section may be held.

## PART 1423—UNFAIR LABOR PRACTICE PROCEEDINGS

Sec.

- 1423.1 Applicability of this part.
- 1423.2 Informal proceedings.
- 1423.3 Who may file charges.
- 1423.4 Contents of the charge; supporting evidence and documents.
- 1423.5 Selection of the unfair labor practice procedure or the negotiability procedure.
- 1423.6 Filing and service of copies.
- 1423.7 Investigation of charges.
- 1423.8 Amendment of charges.
- 1423.9 Action by the Regional Director.
- 1423.10 Determination not to issue complaint; review of action by the Regional Director.
- 1423.11 Settlement or adjustment of issues.
- 1423.12 Issuance and contents of the complaint.
- 1423.13 Answer to the complaint; extension of time for filing; amendment.
- 1423.14 Conduct of hearing.
- 1423.15 Intervention.
- 1423.16 Rights of parties.
- 1423.17 Rules of evidence.
- 1423.18 Burden of proof before the Administrative Law Judge.
- 1423.19 Duties and powers of the Administrative Law Judge.
- 1423.20 Unavailability of Administrative Law Judges.
- 1423.21 Objection to conduct of hearing.
- 1423.22 Motions.
- 1423.23 Waiver of objections.
- 1423.24 Oral argument at the hearing.
- 1423.25 Filing of brief.
- 1423.26 Transmittal of the Administrative Law Judge's decision to the Board; exceptions.
- 1423.27 Contents of exceptions to the Administrative Law Judge's decision.
- 1423.28 Briefs in support of exceptions; oppositions to exceptions; cross-exceptions.
- 1423.29 Action by the Board.
- 1423.30 Compliance with decisions and orders of the Board.
- 1423.31 Backpay proceedings.

## 22 CFR Ch. XIV (4–1–05 Edition)

AUTHORITY: 22 U.S.C. 4107.

SOURCE: 46 FR 45868, Sept. 15, 1981, unless otherwise noted.

### § 1423.1 Applicability of this part.

This part is applicable to any charge of alleged unfair labor practices filed with the Board on or after February 15, 1981.

### § 1423.2 Informal proceedings.

(a) The purposes and policies of the Foreign Service Labor-Management Relations Statute can best be achieved by the cooperative efforts of all persons covered by the program. To this end, it shall be the policy of the Board and the General Counsel to encourage all persons alleging unfair labor practices and persons against whom such allegations are made to meet and, in good faith, attempt to resolve such matters prior to the filing of unfair labor practice charges with the Board.

(b) In furtherance of the policy referred to in paragraph (a) of this section, and noting the six (6) month period of limitation set forth in 22 U.S.C. 4116(d), it shall be the policy of the Board and the General Counsel to encourage the informal resolution of unfair labor practice allegations subsequent to the filing of a charge and prior to the issuance of a complaint by the Regional Director.

### § 1423.3 Who may file charges.

The Department or labor organization may be charged by any person with having engaged in or engaging in any unfair labor practice prohibited under 22 U.S.C. 4115.

### § 1423.4 Contents of the charge; supporting evidence and documents.

(a) A charge alleging a violation of 22 U.S.C. 4115 shall be submitted on forms prescribed by the Board and shall contain the following:

(1) The name, address and telephone number of the person(s) making the charge;

(2) The name, address and telephone number of the Department or labor organization against whom the charge is made;

(3) A clear and concise statement of the facts constituting the alleged unfair labor practice, a statement of the